

# EXHIBIT “A”

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**MV3 PARTNERS LLC,**

**Plaintiff,**

**v.**

**ROKU, INC.,**

**Defendant.**

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**Civil Action No.: 6:18-cv-308-ADA**

**PLAINTIFF MV3 PARTNERS LLC'S  
PROPOSED JURY VERDICT FORM**

**PLAINTIFF MV3 PARTNERS, LLC'S PROPOSED JURY VERDICT FORM**

Plaintiff MV3 Partners LLC ("MV3") proposes the following verdict form. MV3's proposed verdict form is made without waiver of its pending motions. MV3 further reserves the right to amend, supplement, or modify this verdict form in light of further developments and based on the evidence and arguments presented at trial. MV3 expects that the parties will meet and confer to refine the verdict form as events continue to narrow the issues.

**VERDICT FORM**

In answering the following questions, you are to follow the instructions I have given you in the court's charge. Your answers to each question must be unanimous.

As used herein:

"MV3" refers to MV3 Partners LLC.

"Roku" refers to Roku, Inc.

"The '223 Patent" refers to U.S. Patent No. 8,863,223.

"Asserted Claims" refers collectively to claims 1, 15, 21, 23, 30, 32, 33 and 53.

**I. ISSUES RELATING TO PLAINTIFF’S CLAIM OF INFRINGEMENT****QUESTION 1 – DIRECT INFRINGEMENT OF THE ’223 PATENT LITERALLY**

Did MV3 prove by a preponderance of the evidence that Roku’s screen mirroring functionality literally infringed any of the Asserted Claims of the ’223 Patent literally?

**Answer “Yes” or “No” for each Product listed and each Claim listed.**

**A “Yes” is a finding for MV3, and a “No” is a finding for Roku.**

<b>’223 Patent Claim</b>	<b>Roku Players</b>	<b>Roku TVs</b>
1		
15		
21		
23		
30		
32		
33		
53		

**PROCEED TO QUESTION 2.**

**QUESTION 2 – DIRECT INFRINGEMENT OF THE '223 PATENT UNDER THE DOCTRINE OF EQUIVALENTS**

Did MV3 prove by a preponderance of the evidence that Roku's screen casting functionality infringed any of the following claims of the '223 Patent under the doctrine of equivalents?

Answer "Yes" or "No" for each Product listed and each Claim listed for which you did not find literal infringement.

A "Yes" is a finding for MV3, and a "No" is a finding for Roku.

<b>'223 Patent Claim</b>	<b>Roku Players</b>	<b>Roku TVs</b>
1		
15		
21		
23		
30		
32		
33		
53		

**PROCEED TO QUESTION 3.**

**QUESTION 3 – INDUCED INFRINGEMENT OF THE '223 PATENT**

Did MV3 prove by a preponderance of the evidence that Roku infringed any of the Asserted Claims of the '223 Patent by inducing infringement of the Roku Players or Roku TVs?

**YES:** \_\_\_\_\_

**NO:** \_\_\_\_\_

**PROCEED TO QUESTION 3A.**

**QUESTION 3A:**

If you answered YES to Question 3 above, please indicate which functionality infringed.

Answer “Yes” or “No” for each Product functionality listed and each Claim listed.

A “Yes” is a finding for MV3, and a “No” is a finding for Roku.

<b>'223 Patent Claim</b>	<b>Roku Players Screen Mirroring</b>	<b>Roku Players Screen Casting</b>	<b>Roku TVs Screen Mirroring</b>	<b>Roku TVs Screen Casting</b>
1				
15				
21				
23				
30				
32				
33				
53				

**IF YOU HAVE REACHED THIS POINT IN THE VERDICT FORM, YOU SHOULD HAVE ANSWERED QUESTIONS 1 THROUGH 3 AND ANY RELEVANT SUBPARTS.**

**IF YOU HAVE NOT ANSWERED QUESTIONS 1 THROUGH 3, INCLUDING ANY RELEVANT SUBPARTS, GO BACK AND ANSWER THEM BEFORE PROCEEDING.**

If the answer to **EVERY** Asserted Claim listed in Questions 1 through 3 is **NO**, then do not answer any further questions, proceed to the last page, have your Jury Foreperson sign and date this Verdict Form, and then deliver it to the Court Security Officer. You should not pay attention to any other instructions between this point and the signature page found at the end of this Verdict Form.

If the answer is **YES** as to **ANY** claim in Questions 1 through 3, **PROCEED TO ANSWER THE FOLLOWING QUESTIONS.**

## **II. ISSUES RELATING TO DAMAGES**

**If you found MV3's '223 Patent to be infringed, please answer the following questions:**

### **QUESTION 4 – DAMAGES AWARD**

#### **QUESTION 4A:**

What sum of money, if paid in cash today, has MV3 proven by a preponderance of the evidence would fairly and reasonably compensate MV3 for the past damages resulting from the infringement of the '223 Patent which you have found relate to the screen mirroring functionality?

**AMOUNT:** \_\_\_\_\_

#### **QUESTION 4B:**

What sum of money, if paid in cash today, has MV3 proven by a preponderance of the evidence would fairly and reasonably compensate MV3 for the past damages resulting from the infringement of the '223 Patent which you have found relate to the screen casting functionality?

**AMOUNT:** \_\_\_\_\_



You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The jury foreperson should then sign and date the verdict form in the spaces below and notify the Court Security Officer that you have reached a verdict. The jury foreperson should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

I certify that the jury unanimously concurs in every element of the above verdict.

Dated: \_\_\_\_\_

\_\_\_\_\_  
FOREPERSON